REGULAR MEETING OF THE CITY COUNCIL, CITY OF CULVER CITY, CALIFORNIA

August 8, 2011
5:03 p.m.

Call to Order & Roll Call

The meeting of the City Council was called to order at 5:03 p.m.

Present: Micheál O'Leary, Mayor
D. Scott Malsin, Vice Mayor
Christopher Armenta, Councilmember
Jeffrey Cooper, Councilmember
Andrew Weissman, Councilmember

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Closed Session

The City Council adjourned to Closed Session to discuss the following items:

CS-1 Conference with Real Property Negotiators
Re: 11042 -11056 West Washington Boulevard
Agency Negotiators: John Nachbar, City Manager/Executive Director; Sol Blumenfeld, Director of Community Development/Assistant Executive Director; Tevis Barnes, Housing Administrator and Murray Kane, City Special Counsel/Agency General Counsel
Other Parties Negotiators: Los Angeles Housing Partnership
Under Negotiation: Both Terms and Price
Pursuant to Government Code Section 54956.8

CS-2 Conference with Legal Counsel – Anticipated Litigation
Re: Significant Exposure to Litigation – (2 items)
Pursuant to Government Code Section 54956.9(b)(1)

CS-3 Conference with Legal Counsel – Existing Litigation
Re: Donald Sipple v. City of Alameda et al.
Case No. BC462470
Pursuant to Government Code Section 54956.9(a)

CS-4 Conference with Labor Negotiators
City designated representatives: City Manager John Nachbar; Director of Human Resources Serena Wright
Employee Organization: Culver City Employees Association; Culver City Management Group; Culver City Police Officers Association; Culver City Fire Fighters Association; Culver City Police Management Group; Culver City Fire Management Association
Pursuant to Government Code Section 54957.6

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Recess

The City Council recessed to Closed Session at 5:04 p.m.

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Reconvene

The City Council reconvened its meeting at 7:17 p.m. with all Councilmembers present.

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Invocation/Pledge of Allegiance

The Invocation was given by John Nachbar, City Manager, and the Pledge of Allegiance was led by Dennis Hollingdrake.

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Closed Session Report

Mayor O'Leary indicated there was nothing to report out from closed session.

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Presentations

Item P-1

A Presentation to the City Council from the Culver City Sister City, Inc. and the City of Kaizuka, Japan.

Barbara Honig, Culver City Sister Cities Committee, thanked the City for their support and read a letter from a Kaizuka student delegate thanking them and describing their experience.

Mayor O'Leary read a letter sent from the Mayor of Kaizuka, Japan.

Daniel Dobbs, Culver City Firefighter, discussed the relationship between the Culver City Fire Department and the Kaizuka Fire Department.

Kathleen McCann, Culver City Sister Cities Committee, reported on the Kaizuka exchange program; expressed appreciation to City staff and to specific City residents and organizations for their assistance; and she presented gifts to the City Council from the City of Kaizuka, Japan.

Mayor O'Leary read a message in Japanese to the Mayor of Kaizuka, Japan.

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Community Announcements by City Council Members/Information Items from Staff.

Councilmember Malsin encouraged everyone to see the Actors Gang performances in Media Park on Saturdays and Sundays in August.

Mayor O'Leary announced the "Spirit of Black Folklore" on August 10, 2011 at the Julian Dixon Library, put on by Culver City Performing Arts Grant recipients, We Tell Stories; a performance by Four Lads from Liverpool at the 17th Annual Culver City Music Festival in the City Hall Courtyard on August 11, 2011 and presented by the Culver City Redevelopment Agency; Big Bad Wolf Tales and Little Women on Saturdays and Sundays through August 21, 2011 at Carlson Park and put on by Culver City Performing Arts Grant recipients, The Culver City Public Theatre.

Mayor O'Leary reported that Miss Culver City had won the Miss California title and would be competing for Miss America; and noted that he had been reappointed to the Board of the League of California Cities, Los Angeles Division.

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Joint Public Comment – Items Not on the Agenda.

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Donna LeBlanc discussed parking permits on Lucerne Avenue and she requested refunds for the incorrectly issued parking tickets due to misprinted parking signs.

John Nachbar, City Manager, agreed to investigate the matter and report back to the City Council.

Robert Zirgulis felt the settlement with PXP could have been accomplished without the large expenditure of City funds; he discussed a resolution adopted by the Culver City Democratic Club calling for a windfall profits tax on oil companies with the money sent to Culver City Schools; the Tax on California Oil Revenues Initiative; and he asked the City Council to agendize a discussion of endorsing a resolution for the initiative.

Nabil Abu-Ghazahleh, introduced himself as the new President of West Los Angeles College and discussed improvements there.

Christopher Jackson reported being arrested on May 12, 2011 and requested assistance with his case.

Carol Schwab, City Attorney, agreed to speak with Mr. Jackson regarding the matter.

Goran Ericksson, Culver City Chamber of Commerce, extended an invitation to the celebration of the 90th anniversary of Culver City on August 24, 2011.

Elena Sweda Neff, announced that the Los Angeles County West Vector Control District would be at Fiesta La Ballona; she reported working with staff to add information to the City website and eliminate standing water in the City; she discussed Africanized Honeybees; reported two cases of West Nile Virus; and she indicated that West Vector Control pamphlets were available at City Hall.

Ronnie Jayne extended an invitation to attend Fiesta La Ballona on August 26-28, 2011 and she thanked sponsors.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Rick Galiher

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Receipt of Correspondence

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER MALSIN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL RECEIVE AND FILE CORRESPONDENCE.

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Joint Consent Calendar

Item JC-1

Adoption of Resolutions Approving the Annual Investment Policy for Fiscal Year 2011/2012.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R073 APPROVING THE ANNUAL INVESTMENT POLICY FOR FISCAL YEAR 2011/2012.

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Consent Calendar

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL APPROVE CONSENT CALENDAR ITEMS C-1 THROUGH C-4, C-6 AND C-8.

Item C-1

Meeting Minutes

THAT THE CITY COUNCIL APPROVE THE MINUTES FOR THE REGULAR MEETING OF JUNE 27, 2011 AND THE MINUTES FOR THE REGULAR MEETING OF JULY 11, 2011 AS SUBMITTED.

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Item C-2

Cash Disbursements

THAT THE CITY COUNCIL APPROVE CASH DISBURSEMENTS FOR JULY 16, 2011 TO JULY 29, 2011.

Item C-3

Adoption of a Resolution Amending City Council Policy 4101 for Travel, Attendance at Conferences and Special Meetings or Events, and Reimbursement for Expenses.

THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R074 AMENDING CITY COUNCIL POLICY 4101 FOR TRAVEL, ATTENDANCE AT CONFERENCES AND SPECIAL MEETINGS OR EVENTS, AND REIMBURSEMENT FOR EXPENSES.

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Item C-4

(1) Authorization to File an Application for Funds Made Available Through the US Department of Justice, Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds.

THAT THE CITY COUNCIL:

1. AUTHORIZE THE FILING OF AN APPLICATION WITH THE US DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDS; AND

2. AUTHORIZE THE CITY ATTORNEY TO REVIEW/PREPARE THE NECESSARY DOCUMENTS; AND

3. AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS ON BEHALF OF THE CITY.

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Item C-6

(1) Approval of the Final Plans and Specifications and (2) Authorization to Publish Notice Inviting Bids for the Baldwin Avenue (Braddock Drive to Farragut Drive) Street Improvement Project.

THAT THE CITY COUNCIL:

1. APPROVE THE FINAL PLANS AND SPECIFICATIONS FOR BALDWIN AVENUE STREET IMPROVEMENT PROJECT, P-428; AND,

2. AUTHORIZE PUBLICATION OF A NOTICE INVITING BIDS FOR THE BALDWIN AVENUE STREET IMPROVEMENT PROJECT, P-428.

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Item C-8

(1) Acceptance of Work Performed by Minagar & Associates, Inc. for the Citywide Traffic Light Synchronization Program (TLSP), P-928; (2) Authorization to Record the Notice of Completion, and (3) Authorization to Release Retention Funds Upon Expiration of the 35-day Lien Period.

THAT THE CITY COUNCIL:

1. ACCEPT THE WORK PERFORMED BY MINAGAR & ASSOCIATES INC., FOR THE IMPLEMENTATION OF THE CITYWIDE TRAFFIC LIGHT SYNCHRONIZATION PROGRAM (TLSP); AND,

2. AUTHORIZE THE RECORDATION OF THE NOTICE OF COMPLETION; AND,

3. AUTHORIZE THE CITY MANAGER TO RELEASE $20,276 IN RETENTION TO MINAGAR & ASSOCIATES INC., AFTER THE 35 DAYS LIEN PERIOD HAS EXPIRED.

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The following Consent Calendar Items were discussed and voted on separately:

Item C-5

(1) Approval of the Write-Off of Existing Uncollectible Accounts Receivable; and (2) Adoption of a Resolution Establishing Procedures Effective July 1, 2011 for (a) the Write-Off of Uncollectible Accounts Receivable and (b) Transfer of Credit Balances to the City's General Fund.

Discussion ensued between the City Council and Jeff Muir, Chief Financial Officer regarding the billing policy for Fire Inspection fees; uncollected fees; false alarms; the statute of limitations for collecting outstanding fees; pursuing collections; collection agencies; write offs; clarification that the report includes 11 years worth of history; a request for a report to illustrate the false alarms versus false alarms billed for; and tying false alarm receivables to the issue of renewals.

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE THE ATTACHED LISTING OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE FOR WRITE-OFF; AND

2. ADOPT RESOLUTION NO. 2011-R075 ESTABLISHING PROCEDURES EFFECTIVE JULY 1, 2011 FOR (A) THE WRITE-OFF OF UNCOLLECTIBLE ACCOUNTS RECEIVABLE; AND (B) THE TRANSFER OF CREDIT BALANCES TO THE CITY'S GENERAL FUND.

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Item C-7

Approval of Final Plans and Specifications and Authorization to Publish Notice Inviting Bids for the Washington Boulevard/Boise Avenue Pedestrian Crossing Signal Project,P-934.

Mayor O'Leary invited public comment.

The following member of the audience addressed the City Council:

Pat Duncan, Culver Triangle Neighborhood Association, thanked the City Council and Councilmember Malsin for their efforts on this item.

Ela Valladares, Deputy City Clerk, read written comments submitted by:

Susana Fattorini

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. APPROVE THE FINAL PLANS AND SPECIFICATIONS FOR THE WASHINGTON BOULEVARD/BOISE AVENUE PEDESTRIAN CROSSING SIGNAL PROJECT, P-934; AND

2. AUTHORIZE PUBLICATION OF NOTICE INVITING BIDS FOR CONSTRUCTION OF THE WASHINGTON BOULEVARD/BOISE AVENUE PEDESTRIAN CROSSING SIGNAL PROJECT, P-934.

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Action Items

Item A-1

Adoption of a Resolution Approving and Adopting Amendments to Civil Service Rules 2, 3, 7, 12 and 15 as Recommended by the Civil Service Commission.

Mayor O'Leary invited public participation.

The following member of the audience addressed the City Council:

Glenn Heald, Culver City Management Group, expressed support for the staff recommendations.

Councilmember Armenta received clarification regarding the average number of class specifications and revisions per year; and expressed concern that the City Council should retain making the final decision on new class specifications and revisions to existing class specifications. Councilmember Armenta requested that Rule 3 be separated out so he could vote against it.

The following motions were voted on:

MOVED BY COUNCILMEMBER MALSIN, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R076 APPROVING AMENDMENTS TO CIVIL SERVICE RULES 2, 7, 12 AND 15 AS RECOMMENDED BY THE CIVIL SERVICE COMMISSION.

MOVED BY COUNCILMEMBER MALSIN AND SECONDED BY COUNCILMEMBER WEISSMAN, THAT THE CITY COUNCIL ADOPT RESOLUTION NO. 2011-R076 APPROVING AMENDMENTS TO CIVIL SERVICE RULE 3 AS RECOMMENDED BY THE CIVIL SERVICE COMMISSION.

AYES:	Councilmembers Cooper, Malsin, Weissman, O'Leary
NOES:	Councilmember Armenta
ABSTAIN:	None
ABSENT:	None

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Item A-2

Consideration of Creating, Providing a Charge and Target Return Date, and Appointing Two Council Members to an Ad-Hoc Subcommittee on Hotel and Transient Occupancy Tax Revenue Enhancement Opportunities.

Mayor O'Leary invited public comment.

The following members of the public addressed the City Council:

Steven Rose, Culver City Chamber of Commerce, introduced Dennis Hollingdrake with Courtyard by Marriott and Bill Ryder with Doubletree Hotels, noting that they were willing to sit down with staff or the City Council to discuss tourism and hotels in the City.

Discussion ensued between the City Council and staff regarding ways to enhance revenues and a suggestion to have staff meet with Mr. Rose and other interested parties to gain further information before creating an ad hoc committee.

MOVED BY COUNCILMEMBER WEISSMAN, SECONDED BY COUNCILMEMBER COOPER AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL DIRECT THE CITY MANAGER TO COORDINATE INITIAL DATA GATHERING AND ANALYSIS WITH THE CHAMBER OF COMMERCE AND PROVIDE THE CITY COUNCIL WITH THE RESULTS OF SUCH EFFORTS AT A FUTURE DATE.

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Item A-3

Approval of the Installation of Speed Humps, on a Temporary Basis, on Culver Park Drive and on Segrell Way, between Sawtelle Boulevard and Slauson Avenue.

Gabriel Garcia, Traffic Engineer, provided a summary of the material of record.

Councilmember Armenta received clarification that the Sepulveda Boulevard widening project was expected to be completed in October 2011.

Mayor O'Leary invited public comment.

The following members of the audience addressed the City Council:

Laura Stuart described traffic conditions in her neighborhood; expressed concerns with safety; and requested speed bumps during construction.

David Loupe recounted previous efforts to get speed bumps on his street; noted that Fire Station #3 was no longer an issue; discussed cut-through traffic and the Sepulveda Boulevard expansion; Federal Express trucks; excessive speeds; signage; and enforcement.

Linda Forest discussed additional traffic due to construction; trucks; local traffic only signs; and she requested permanent traffic humps.

Ann Treleven discussed continuing traffic problems; previous meetings on the subject; opposition to the humps; and she urged approval of the temporary speed humps.

Joseph Montoya expressed opposition to the speed humps; he discussed police enforcement; he felt the petition was biased; he questioned the wisdom of installing a speed hump near the stop sign and how many properties were represented; he discussed the lack of a financial analysis, public notification, and the staff report; and he felt it was impractical to install the humps three months before construction was completed.

Paul Cummings expressed concerns with safety due to increased traffic; reported difficulty getting out of his driveway; and he expressed support for the installation of traffic humps.

David Potter expressed concern with traffic issues; reported road rage incidents; discussed safety concerns and children in the neighborhood; and he asked for support for the installation of permanent speed humps in the neighborhood.

Ela Valladares, Deputy City Clerk, read written comments submitted by

Jack and Burdeane Rubin
Linda Kelley
Jean Shimotsu

Responding to Mayor O'Leary, Joseph Montoya clarified that he was aware of traffic conditions when he bought his home and he expressed concern that the installation of speed humps could negatively affect his property values.

Discussion ensued between the City Council and staff regarding the length of time that traffic and congestion has been an issue in the area; other instances of temporary speed bump installations in the City; acknowledgement that the issue predates the construction project; examining data during and after the construction project; cut through traffic; the time frame for installation of the speed bumps; and dialog with residents regarding placement.

Further discussion ensued regarding differences between temporary and permanent installations; clarification regarding the length of the trial period; finding neighbors willing to help the process; placement of speed humps; alternative traffic mitigation; the NTMP process; potential effects to property values; the sixth month trial period; local funds allocated to the Sepulveda Boulevard widening project; expediting the process; and the distance between speed bumps and placement.

Following discussion, the following motion was made:

MOVED BY COUNCILMEMBER COOPER, SECONDED BY COUNCILMEMBER WEISSMAN AND UNANIMOUSLY CARRIED, THAT THE CITY COUNCIL:

1. AUTHORIZE THE INSTALLATION OF SPEED HUMPS, ON A TEMPORARY BASIS, ON CULVER PARK DRIVE AND ON SEGRELL WAY, BETWEEN SAWTELLE BOULEVARD AND SLAUSON AVENUE; AND

2. AUTHORIZE THE PUBLIC WORKS DIRECTOR AND CITY ENGINEER TO EXECUTE A CHANGE ORDER TO P-881, IN AMOUNT NOT TO EXCEED $23,000 FOR THE CONSTRUCTION OF 10 SPEED HUMPS AND $3,500 FOR RELATED STRIPING AND SIGNAGE; AND

3. RETURN TO THE CITY COUNCIL WITH A REPORT IN SIX MONTHS FROM THE DATE OF THE INSTALLATION OF THE SPEED HUMPS.

Councilmember Weissman received clarification regarding location of speed humps throughout the City; the process for permanent installation; and clarification that there are currently no other temporary speed bumps in the City.

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Public Comment for Items Not On the Agenda – Continued.

Mayor O’Leary invited public participation.

There was no response.

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Items from the City Council

Items Presented by Councilmember Malsin:

- Requested that staff meet with representatives of the California Green Business Program to discuss possible implementation in Culver City.

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Items Presented by Councilmember Armenta:

- Inquired into a project of Golden State Water which has created mini trenches on Washington Boulevard.

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Items Presented by Mayor O'Leary:

- Expressed appreciation in receiving the State of the City's infrastructure report.

- Requested that staff write a response to Assemblymember Bob Wieckowski to clarify that Culver City understands why it is objecting to AB506.

- Received consensus from the City Council that he be permitted to attend the Conference of Mayors in Washington D.C. in January 2012.

- Requested that staff complete a survey from the Department of Commerce, Economics and Statistics Administration of the U.S. Census Bureau.

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Adjournment

There being no further business, at 9:12 p.m., the City Council adjourned its meeting to a meeting to be held on August 22, 2011.

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Ela Valladares
DEPUTY CITY CLERK of the City of Culver City, California
EX-OFFICIO CLERK of the City Council, City of Culver City, California

APPROVED August 22, 2011

MICHEÁL O'LEARY
MAYOR of the City of Culver City, California